

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

FRANK LIU,

Plaintiff,

v.

CITY OF RENO, *et. al.*,

Defendants.

Case No. 3:22-CV-00551-ART-CLB

ORDER

On December 13, 2022, Plaintiff Frank Liu ("Liu") initiated this action by filing an application to proceed *in forma pauperis* and along with a *pro se* civil rights complaint, (ECF Nos. 1, 1-1). On December 22, 2022, the Court issued a screening order pursuant to 28 U.S.C. § 1915A, granting Liu an opportunity to either amend his complaint or proceed on the complaint as stated in Order (ECF No. 3). Liu did not file an amended complaint.

Accordingly, **IT IS HEREBY ORDERED** that Liu will **PROCEED** against Defendant Reno Police Department Officer Scott Gauthier ("Gauthier") on the following claims: (1) violation of the Fourth Amendment as it relates to *Terry v. Ohio*, 392 U.S. 1, 19 (1968); and (2) violation of the Fourteenth Amendment as it relates to "racial profiling... without due process."

IT IS FURTHER ORDERED that the Clerk shall **ISSUE** a summons for the above-named defendant and deliver the same to the U.S. Marshal together with a copy of the complaint, (ECF No. 4), the screening order, (ECF No. 3), and this order for service on the defendant. The Clerk shall **SEND** to Liu one USM-285 form. Liu shall have until **February 13, 2023**, to complete the USM-285 service form and return it to the U.S. Marshal, 400 S. Virginia Street, 2nd Floor, Reno, Nevada 89501. If Liu fails to follow this order, the above-named defendant will be dismissed for failure to complete service of process pursuant to Fed. R. Civ. P. 4(m).

IT IS FURTHER ORDERED that henceforth, Liu shall serve upon Defendant or, if appearance has been entered by counsel, upon the attorney(s) a copy of every pleading, motion, or other document submitted for consideration by the Court. Liu shall include with the original paper to be filed with the Clerk of the Court a certificate stating the date that a true and correct copy of the document was mailed to the Defendant or counsel for defendant. The Court may disregard any paper received by a District Judge or a Magistrate Judge which has not been filed with the Clerk of the Court, and any paper received by a District Judge, Magistrate Judge, or Clerk of the Court which does not include a certificate of service.

IT IS SO ORDERED.

DATED: January 23, 2023


UNITED STATES MAGISTRATE JUDGE